REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed 03/09/2007. Claims 1-6, 13-14 and 16-19 were pending in this application and are rejected. This response amends claim 1, without adding any claims. Claims 3 and 14 have been canceled, leaving pending claims 1-2, 3-6, 13, and 16-19. Reconsideration of the rejected claims is respectfully requested.

35 U.S.C. §103 Rejection, *Barrick* in view of *Chen* and in further view of *Dutta*

Claims 1, 3, 5, 13-14 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Barrick* Jr. et al. (U.S. Patent No. 6,625,647) (hereinafter "*Barrick*") in view of *Chen* et al. (U.S. Patent No. 5,793,976) (hereinafter "*Chen*") and further in view of *Dutta* et al. (U.S. Publication NO. 2002/0161794) (hereinafter "*Dutta*").

Claim 1 is allowable as *Barrick*, *Chen*, and *Dutta* either alone or in any combination, do not teach or suggest each and every element of amended claim 1. For example, claim 1 recites in part:

> A method for assembling timing data for each layer in a multi-layer server environment, comprising:
>
> **storing the times of generation, arrival times, departure times, and time of display in the hidden data fields in the HTML based response in a database within a request-response cycle corresponding to the second HTML based request.** *(emphasis added)*

Barrick teaches the browser agent records the time of the sending of the HTTP GET request as the start time. (*Barrick*, FIG.4) **Upon receiving the HTTP GET request, Web server 402 sends back the requested Web page in a step 440. In a step 450, the browser agent calculates the download interval, encodes it in an HTTP GET request header, and sends the HTTP GET request to relay server 406.** (*Barrick*, col. 7 line 57 - col. 8 line 4). In addition, *Barrick* teaches, "each browser agent 106 sends download timing information to relay server 110 in the form of an HTTP GET request. Relay server 110 then preferably transfers the data to a database server 112." (*Barrick*, col. 5, lines 1-3).

Although the relay server of *Barrick* transfers the timing information sent by the browser, there is no mention of storing in a database within a request-response cycle

corresponding to the second HTML based request, as is claimed by Applicants. In *Barrick*, the browser sends the HTTP GET request and the browser agent records the start time of the request. The browser waits until the web server provides a response web page before calculating the download time interval as experienced by the user at the browser. It is not until the entire request and response cycle is completed that the browser performs a reporting procedure by sending the download time interval information to the relay server. Once the time information is received, the relay server may then transfer the timing information to the database server. Since the timing information is measured by the browser, the browser cannot send the timing information to the relay server before the request-response cycle is completed by the web server returning the requested web page. Therefore, the relay server cannot transfer the timing information to the database until after the request-response cycle is completed. As such, *Barrick* cannot render obvious Applicants' claim 1 and dependent claims 4-5.

Chen does not make up for these deficiencies in *Barrick* with respect to claim 1. *Chen* teaches the monitoring and reporting of delays experienced by a packet of information at each intermediate node of a network (*Chen*, col. 4, lines 26-33). Even assuming that *Chen* teaches what is stated and that there is a motivation to combine, this teaching does not make up for the deficiencies in *Barrick* with respect to these claims.

Moreover, *Dutta* does not make up for these deficiencies in *Barrick* and *Chen* with respect to claim 1. *Dutta* teaches, "the browser maintains a list of all of the screen images that have been captured within a configurable duration of time, and the time that the screen image was captured." (*Dutta*, [0047]). Even assuming that *Dutta* teaches what is stated and that there is a motivation to combine, this teaching does not make up for the deficiencies in *Barrick* and *Chen* with respect to these claims.

Independent claim 13 also recites limitations that are not taught or suggested by *Barrick*, *Chen*, and *Dutta* for reasons including those discussed above, such that claims 1 and 13 and dependent claims 2, 4-6 and 16-19 cannot be rendered obvious by *Barrick*, *Chen*, and *Dutta*, either alone or in any combination.

35 U.S.C. §103 Rejection, *Barrick* , *Chen*, *Dutta*, and in further view of *Fish*

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barrick* in view of *Chen* and further in view of *Dutta* and further in view of *Fish* et al. (U.S. Publication No. 2004/0111394) (hereinafter "*Fish*"). Claim 2 depends from independent claim 1, which is not rendered obvious by *Barrick, Chen,* and *Dutta* as discussed above.

Fish does not make up for the deficiencies in *Barrick, Chen,* and *Dutta* with respect to these claims. *Fish* teaches the use of hidden fields in an HTML document for storing debug information (*Fish*, [0009 - 0010]), and is cited as teaching the displaying of these hidden data fields to a user (Office Action 11/27/2006, p. 11). Even assuming that *Fish* teaches what is cited and that there is a motivation to combine, this teaching does not make up for the deficiencies in *Barrick, Chen*, and *Dutta* with respect to these claims. As such, *Fish* cannot render obvious Applicants' claims 1 or 2, either alone, or in any combination with *Barrick, Chen,* and *Dutta*.

35 U.S.C. §103 Rejection, *Barrick, Chen, Dutta*, and in further view of *Packman*

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barrick* in view of *Chen* and further in view of *Dutta* and further in view of *Packman* et al. (U.S. Publication No. 2003/0225877) (hereinafter "*Packman*"). Claim 4 depends from independent claim 1, which is not rendered obvious by *Barrick, Chen,* and *Dutta* as discussed above.

Packman does not make up for the deficiencies in *Barrick, Chen,* and *Dutta* with respect to these claims. *Packman* is cited as teaching the one or more servers including at least one application server and a database server. (Office Action 11/27/2006, p. 12). Even assuming that *Packman* teaches what is cited and that there is a motivation to combine, this teaching does not make up for the deficiencies in *Barrick, Chen*, and *Dutta* with respect to these claims. As such, *Packman* cannot render obvious Applicants' claims 1 or 4, either alone or in any combination with *Barrick, Chen,* and *Dutta*.

35 U.S.C. §103 Rejection, *Barrick*, *Chen*, and in further view of *Engel*

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barrick* in view of *Chen* and further in view of *Engel* (U.S. Publication No. 2004/0246996) (hereinafter "*Engel*"). Claim 6 depends from independent claim 1, which is not rendered obvious by *Barrick* and *Chen* as discussed above.

Engel does not make up for the deficiencies in *Barrick* and *Chen* with respect to these claims. *Engel* is cited as teaching the synchronizing of servers. (Office Action 11/27/2006, p. 13). Even assuming that *Engel* teaches what is cited and that there is a motivation to combine, this teaching does not make up for the deficiencies in *Barrick* and *Chen* with respect to these claims. As such, *Engel* cannot render obvious Applicants' claims 1 or 6, either alone, or in any combination with *Barrick* and *Chen*.

35 U.S.C. §103 Rejection, *Barrick*, *Chen*, and in further view of *Blythe*

Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barrick* in view of *Chen* and further in view of *Blythe* et al. (U.S. Publication No. 2004/0139433) (hereinafter "*Blythe*"). Claim 19 depends from independent claim 13, which is not rendered obvious by *Barrick* and *Chen* as discussed above.

Blythe does not make up for the deficiencies in *Barrick* and *Chen* with respect to these claims. *Blythe* is cited as teaching the use of application servers in a distributed environment. (Office Action 11/27/2006, p. 14). Even assuming that *Blythe* teaches what is cited and that there is a motivation to combine, this teaching does not make up for the deficiencies in *Barrick* and *Chen* with respect to these claims. As such, *Blythe* cannot render obvious Applicants' claims 13 or 19, either alone, or in any combination with *Barrick* and *Chen*.

35 U.S.C. §103 Rejection, *Barrick*, *Chen*, *Dutta*, and in further view of *Struble*

Claims 16 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barrick* in view of *Chen* and further in view of *Dutta* and further in view of *Struble* (U.S. Publication No. 2003/0004796) (hereinafter " *Struble* "). Claims 16 and 17 depend from

independent claim 13, which is not rendered obvious by *Barrick, Chen,* and *Dutta* as discussed above.

Struble does not make up for the deficiencies in *Barrick, Chen,* and *Dutta* with respect to these claims. *Struble* is cited as teaching an internal clock to keep local time. (Office Action 11/27/2006, p. 13). Even assuming that *Struble* teaches what is cited and that there is a motivation to combine, this teaching does not make up for the deficiencies in *Barrick, Chen*, and *Dutta* with respect to these claims. As such, *Struble* cannot render obvious Applicants' claims 13, 16 or 17, either alone, or in any combination with *Barrick, Chen,* and *Dutta*.

Applicants therefore respectfully request that the rejections with respect to pending claims 1-6, 13-14, and 16-19 be withdrawn.

Amendments to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter. See, for example, paragraph 34 of the Specification.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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